

ALVION PROPERTIES, INC., et al.

Plaintiffs,

v.

BERND H. WEBER, et al.,

Defendants.

BERND H. WEBER, et al.

Counter-Claimants,

HAROLD M. REYNOLDS, et al.,

Counter-Defendants.)

No. 3:08-0866
Judge Sharp

Magistrate Judge Bryant has issued five Reports and Recommendations (Docket Nos. 627, 628, 629, 631 & 633) in this case relating to seven pending motions filed by Defendants Bernd H. Weber and Claude J. Chauveau. Even though all of the Reports and Recommendations were entered a month or more ago, and each informed the parties that the failure to timely file specific objections could “constitute a waiver or further appeal” of the recommendation, no “specific written objections to the proposed findings and recommendations” as required by Rule 72(b)(2) of the Federal Rules of Civil Procedure have been filed.¹

¹ In a motion mis-captioned as a “Motion To Grant Leave From the Discovery Motion Deadline,” Defendants indicated that they did, in fact, “oppose” the Reports and Recommendations, and asked that they be granted “leave to address their objections to the R & R’s at the trial[.]” (Docket No. 635 at 2 &3). That request was denied by Order (Docket No. 644) entered October 30, 2012.

Court hereby ACCEPTS and APPROVES the Reports and Recommendations (Docket Nos. 627, 628, 629, 631 & 633). With the acceptance and approval of the Reports and Recommendations, the Court renders the following rulings:

- (1) The Motion for Partial Summary Judgment (Docket No. 536) is hereby DENIED;
 - (2) The Motion to Dismiss Counts I, IV, V, VI, IX and X of the First Amended Complaint (Docket No. 550) is hereby DENIED;
 - (3) The Motion for Declaratory Judgment (Docket No. 560) is hereby DENIED;
 - (4) The Motion for Partial Summary Judgment (Docket No. 563) is hereby DENIED;
 - (5) The Motion for Declaratory Judgment Regarding the Unambiguousness of Irrevocable Stock Powers (Docket No. 566) is hereby DENIED;
 - (6) The Motion to Dismiss All Counts of Individual Plaintiffs Due to Lack of Standing Under Article III (Docket No. 571) is hereby DENIED; and
 - (7) The Motion for Summary Judgment (Docket No. 585) is hereby DENIED.
- It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE